

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CAROLINE P. AYRES, a/k/a	:	
CAROLINE P. AYRES-BROWN a/k/a	:	
CAROLINE P. AYRES-FOUNTAIN	:	
	:	C.A. No. 06-00338 SLR
Appellant	:	
	:	On Appeal from the United
v.	:	States Bankruptcy Court for the
	:	District of Delaware
EASTERN SAVINGS BANK,	:	Bankruptcy Case No. 05-20034
	:	
Appellee.	:	

STIPULATION OF DISMISSAL WITH PREJUDICE

WHEREAS, Caroline P. Ayres, a/k/a Caroline P. Ayres-Brown a/k/a Caroline P. Ayres-Fountain, (“plaintiff”) filed an Appeal seeking a modification of Judge Fitzgerald’s April 27, 2006 Order to the United States District Court for the District of Delaware on May 11, 2006.

WHEREAS, according to the provisions of the Standing Order of the District Court, the case was assigned to mediation; and,

WHEREAS, the parties wish to resolve their differences without further litigation and have entered into a separate Settlement and Release.

IT IS HEREBY STIPULATED AND AGREED that the United States District Court Appeal captioned above, be and is hereby dismissed with prejudice by such terms and conditions set forth in the Settlement and Release.

Dated: July 27, 2006

BY: /s/ Caroline P. Ayres

CAROLINE P. AYRES a/k/a Caroline P. Ayres-Brown
a/k/a CAROLINE P. AYRES-FOUNTAIN
1 Gwynedd Lane
Hockessin, Delaware
Pro Se Debtor

Dated: July 27, 2006

BY: /s/ John R. Weaver, Jr.

John R. Weaver, Jr., Esquire
(DE Bar Id. No. 911)
P.O. Box 510
914 Walnut Street
Wilmington, Delaware 19899
Telephone: (302) 428-1077
Facsimile: (302) 656-8920
jrweaverlaw@verizon.net
Attorney for Eastern Savings Bank

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CERTIFICATION OF SERVICE

I, John R. Weaver, Jr., Esquire, attorney for the movant, do hereby certify that I did on the 1st day of August 2006, electronically filed the Stipulation of Dismissal with Prejudice with the Clerk of Court using CM/ECF, I hereby certify that on August 1, 2006, I have mailed two copies by United States Postal Service, the motion to the following registered participants:

Caroline P. Ayres, pro se
1 Gwynedd Lane
Hockessin, Delaware 19707

Joseph A. Malfitano, Esquire
1000 West Street, 17th Floor
Wilmington, Delaware 19801

I declare under penalty of perjury that the foregoing is correct.

Dated: August 1, 2006

BY: /s/ John R. Weaver, Jr.

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